1. (Five Times Amended) A method for assessing a compound's ability to prevent neuronal cell death, comprising:

a) contacting a compound with cultured neuronal cells having activated MLK activity, wherein the activated MLK activity is selected from the group consisting of MLK1 activity, MLK2 activity, and MLK3 activity, and wherein the activity is a kinase activity; and

(b) determining the number of cultured neuronal cells that die;

wherein a decreased number of dead cultured cells in the presence of the compound compared to the number of dead cultured neuronal cells in the absence of the compound is indicative of the compound's ability to prevent neuronal cell death.

2. (Three Times Amended) The method of claim 1, wherein the neuronal cells express a mutated protein selected from the group consisting of polyglutamine stretch-expanded huntingtin and C-terminal 100 amino acids of amyloid precursor protein, or the neuronal cells are treated with a neurotoxin to induce apoptosis.

7. (Three Times Amended) The method of claim 1, wherein the neuronal cell death results form exposure of the cells to glutamate or kainic acid mediated excitotoxicity.

8. (Three Times Amended) The method of claim 1, wherein the neuronal cell death results from a neurological disease selected from the group consisting of Huntington's disease, Parkinson's disease and Alzheimer's disease.

9. (Four Times Amended) A method for assessing a compound's ability to prevent neuronal cell death, comprising:

a) contacting a compound with cultured neuronal cells expressing a mutated protein selected from the group consisting of polyglutamine stretch-expanded huntingtin and C-terminal 100 amino acids of amyloid precursor protein, or with neuronal cells treated with a neurotoxin to induce neuronal cell death; and

(b) determining the number of cultured neuronal cells that die;

wherein a decreased number of dead cultured neuronal cells in the presence of the compound compared to the number of dead cultured cells in the absence of the compound is indicative of the compound's ability to prevent neuronal cell death.

14. (Five Times Amended) A method for assessing the ability of a compound to prevent neuronal cell death occurring in a mammal susceptible to or having a neurological condition, comprising:

a) contacting a compound with cultured neuronal cells having activated MLK activity, wherein the activated MLK activity is selected from the group consisting of MLK1 activity, MLK2 activity, and MLK3 activity, and wherein the activity is a kinase activity;

b) contacting, in the presence of the compound, surviving cells from step (a) with an agent that induces apoptosis; and

(c) comparing the level of apoptosis in the cells in the presence of the compound with the level of apoptosis in the cells in the absence of the compound;

wherein the compound is a potentially useful drug for treating mammals when the level of apoptosis in the cells in the presence of the compound is less than the level of apoptosis in the cells in the absence of the compound.

19. (Four Times Amended) A method for assessing a compound's ability to inhibit MLK activity, comprising:

a) contacting a compound with a MLK protein and a substrate therefore, wherein the MLK protein is selected from the group consisting of MLK1, MLK2, and MLK, and combinations thereof;

b) measuring the level of MLK activity, wherein the MLK activity is a kinase activity; and

c) comparing the level of MLK activity in the presence of the compound with the level of MLK activity in the absence of the compound, wherein a decrease in MLK activity in the presence of the compound is indicative that the compound has an ability to inhibit MLK activity.

45. (Amended) A method for assessing the ability of a compound to inhibit MLK activity and to prevent neuronal cell death, comprising the steps of:

a) contacting a compound with a MLK protein and a substrate therefor, wherein the MLK protein is selected from the group consisting of MLK1, MLK2, and MLK3, and combinations thereof;

b) measuring the level of MLK activity, wherein the MLK activity is a kinase activity; and

c) comparing the level of MLK activity in the presence of the compound with the level of MLK activity in the absence of the compound, wherein a decrease in MLK activity in the presence of the compound is indicative that the compound has an ability to inhibit MLK activity;

d) contacting the compound having an ability to inhibit MLK activity with cultured neuronal cells having activated MLK activity, wherein the activated MLK activity is kinase activity; and

e) comparing the occurrence of apoptosis in the cultured neuronal cells in the presence of the compound with the occurrence of apoptosis in the cultured neuronal cells in the absence of the compound;

wherein the compound having an ability to inhibit MLK activity has the ability to prevent neuronal cell death when the occurrence of apoptosis in the cultured neuronal cells in the presence of the compound is less than the occurrence of apoptosis in the cultured neuronal cells in the absence of the compound.

REMARKS

In the Official Action of October 1, 2001, the Examiner has restated the position that applicant is not entitled to the benefit of the filing date of the provisional application. Applicant continues to assert entitlement to the benefit of the provisional application for the reasons discussed in more detail in response to the prior Office Action. Accordingly, the Examiner's position on this matter is respectfully traversed.

Claims 1-3, 5-8, 9-10, 12-19 and 45 stand rejected under 35 U.S.C. 112, first paragraph, as lacking enablement in the specification. In particular, the Examiner states that the